IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ABINGDON DIVISION

EDWIN F. LEGARD, JR., ET AL., ON BEHALF OF THEMSELVES AND ALL OTHERS SIMILARILY SITUATED,)))
Plaintiffs,) Case No. 1:10CV00041
v.	ORDER
EQT PRODUCTION COMPANY,) By: James P. Jones) United States District Judg
Defendant.)

This action by lessors of coalbed methane gas was referred to a magistrate judge pursuant to 28 U.S.C.A. § 636(b)(1)(B) (West 2006 & Supp. 2011) and Federal Rule of Civil Procedure 72(b) for findings and recommendations on a motion to dismiss by the defendant. After briefing and argument by the parties, the magistrate judge issued her Report and Recommendations. *Legard v. EQT Prod. Co.*, No. 1:10CV00041 (W.D. Va. Jan 11, 2011) (Sargent, J.). The plaintiffs and the defendant filed timely Objections to the Report and Recommendations, which Objections have been briefed and argued before me.

Based upon my de novo review of the Objections, it is **ORDERED** as follows:

1. All of the Objections are OVERRULED;

2. The Report and Recommendations (ECF No. 60) are fully

ACCEPTED; and

3. The Motion to Dismiss by EQT Production Company (ECF No. 21) is

GRANTED IN PART AND DENIED IN PART in accord with the Report and

Recommendations.

ENTER: September 28, 2011

/s/ James P. Jones

United States District Judge

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